

"EXPRESS MAIL CERTIFICATE"
"EXPRESS MAIL" MAILING LABEL NUMBER EL964437990US
DATE OF DEPOSIT 10/15/03

Attorney Docket No. P50959RC2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Appelbaum, et al.

Predecessor Serial No.: 10/208,082

Group Art Unit No.: unassigned

Predecessor File Date: July 29, 2002

Examiner: unassigned

For: Methods of Use of Fluoroquinolone Compounds Against Ciprofloxacin-Resistant and Ciprofloxacin-Sensitive Pathogenic Bacteria

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FILING OF AN INFORMATION DISCLOSURE STATEMENT UNDER
37 C.F.R. §1.97(b)

The attached list of citations on PTO Form 1449 is being submitted under the provisions of 37 CFR §1.56 and §1.97 in order to comply with the duty of disclosure. Their inclusion herein should not, however, be construed as an admission that any particular cited reference is effective prior art or that it discloses or renders obvious any aspect of the claimed invention. A copy of each cited reference is enclosed, except for those references which are already part of the filewrapper. This statement is being filed within the time period specified in 37 CFR §1.97(b). No fee is required.

Respectfully submitted,



Loretta J. Henderson
Attorney for Applicants
Registration No. 37,347

GLAXOSMITHKLINE
Corporate Intellectual Property - UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Phone (610) 270-6897
Facsimile (610) 270-5090
N:\Loretta\Applications\P5's\P50959AC2\IDS Letter.doc

INFORMATION DISCLOSURE STATEMENT BY APPLICANT		ATTY. DOCKET NO. P50959RC2	PREDECESSOR SERIAL NO. 10/208,082
		APPLICANT Appelbaum, et al.	
		FILING DATE Herewith	GROUP

CO-PENDING PATENT APPLICATIONS

Examiner Initial	Attorney Docket No.	US Serial No.	Filing Date	Title	Inventors
	P50954-1D1 (divisional of previously cited 09/569,648)	10/395,461	3/24/03	Methods of Use of Quinolone Compounds Against Pneumococcal and Haemophilus Strains	Appelbaum, et al.
	P50955RC2 (US2003-0105127A1)	10/323,101	12/18/02	Methods of Use of Gemifloxacin Compounds Against Fluoroquinolone Resistant Streptococcus pneumoniae Bacteria	Bast, et al.
	P50956RC2 (US2003-0073695A1)	10/262,826	10/02/02	Methods of Use of Gemifloxacin Compounds Against Fluoroquinolone Resistant Streptococcus pneumoniae Bacteria	Bast, et al.
	P50928X1C1 (US2003-0119866A1)	10/300,407	11/23/02	Methods of Use of Fluoroquinolone Compounds Against Maxillary Sinus Pathogenic Bacteria	Dubois, et al.
	P50928X1D1C1 (US2003-0119867A1)	10/325,521	12/19/02	Methods of Use of Fluoroquinolone Compounds Against Maxillary Sinus Pathogenic Bacteria	Dubois, et al.

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office	ATTY. DOCKET NO. P50959RC2	PREDECESSOR SERIAL NO. 10/208,082
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i>		APPLICANT Appelbaum, et al.	
		FILING DATE Herewith	GROUP 1625

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	AA	5,633,262	5/27/97	Hong et al.			
	AB	5,776,944	7/7/98	Hong et al.			
	AC	5,869,670	2/9/99	Hong et al.			
	AD	5,962,468	10/5/99	Hong et al.			

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation Yes I No

OTHER DOCUMENTS (*Including Author, Title, Date, Pertinent Pages, Etc.*)

CA	G. Cormican, "Comparative Antimicrobial and Spectrum Activity of LB20304a, a New Fluorinated Naphthyridone Compound", <u>Abstracts of the 36th ICAAC</u> , 109 Abst F53 (1996)
CB	J-H. Kwak, "Antimicrobial Activities of LB20304a, a New Quinolone Antibiotic", <u>The Journal of Applied Pharmacology</u> (4) pp. 378-384 (1996)
CC	M-K. Seo, "Pharmacokinetics of LB20304, a New Fluoroquinolone, in Rats and Dogs", <u>Arch. Pharm. Res.</u> Vol. 19, No. 5, pp. 359-367 (1996)
CD	C. Yong Hong, et al., "Novel Fluoroquinolone Antibacterial Agents Containing Oxime-Substituted (Aminomethyl) pyrrolidines: Synthesis and Antibacterial Activity of 7-(4-(Aminomethyl)-3-(methoxyimino) pyrrolidin-1-yl)-1-cyclopropyl-6-fluoro-4-oxo-1,4-dihydro [1,8] naphthyridine-3-carboxylic Acid (LB20304)", <u>J. Med. Chem.</u> 40 (22) pp. 3584-3593 (1997)
CE	M-K. Seo et al., "High Performance Liquid Chromatographic Assay of a New Fluoroquinolone, LB20304, in the Plasma of Rats and Dogs", <u>Arch. Pharm. Res.</u> Vol. 19, No. 6, pp. 554-558 (1996)
CF	M-J. Ahn, et al., "InVivo Efficacy of LB20304a against Experimental Respiratory Tract Infection in Mice", <u>Yakhak Hoeji</u> Vol. 40, No. 4, pp. 438-441 (1996)
CG	M-J. Ahn, et al., "Effect of a New Fluoroquinolone LB20304a on Microflora of Caecum in Mice", <u>Yakhak Hoeji</u> Vol 40, No. 3, pp. 343-346 (1996)
CH	K-S. Paek, et al., "Factors Affecting In Vitro Activity of LB20304, New Fluoroquinolone", <u>Arch. Pharm. Res.</u> Vol. 19, No. 2, pp. 143-147 (1996)
CI	M-J. Ahn, et al, "Post-Antibiotic Effect of LB20304, A New Quinolone Antibiotic", <u>Yakhak Hoeji</u> Vol. 40, No. 3, pp. 347-350 (1996)
CJ	F. Marco, et al., "Antimicrobial Activity of LB20304, a Fluoronaphthyridone, Tested Against Anaerobic Bacteria", <u>J. Antimicrobial Chemother</u> Vol. 40, No. 4, pp. 605-607 (1997)
CK	K-S. Paek, et al, "Bactericidal Activities of LB20304, a New Fluoroquinolone", <u>Arch. Pharm. Res.</u> Vol. 19, No. 4, pp. 317-320 (1996)

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office	ATTY. DOCKET NO. P50959RC2	PREDECESSOR SERIAL NO. 10/208,082
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i>		APPLICANT Appelbaum, et al.	
		FILING DATE Herewith	GROUP 1625

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office	ATTY. DOCKET NO. P50959RC2	PREDECESSOR SERIAL NO. 10/208,082
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i>		APPLICANT Appelbaum, et al.	
		FILING DATE Herewith	GROUP 1625

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	<u>Translation</u>
							Yes No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINED

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
<http://www.uspto.gov/patent-application-forms-50050-a21449-form-2-2.doc>

Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office	ATTY. DOCKET NO. P50959RC2	PREDECESSOR SERIAL NO. 10/208,082
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i>		APPLICANT Appelbaum, <i>et al.</i>	
		FILING DATE Herewith	GROUP Unknown

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation Yes No
	AA	WO 98/42705	01.10.98	PCT			
	AB	EP 0 688 772 A1	27.12.95	EPO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AC	Appelbaum, "Antimicrobial Resistance in <i>Streptococcus pneumoniae</i> : An Overview," <i>Clinical Infectious Diseases</i> , 15: 77-83 (1992)
AD	Doern, <i>et al.</i> , "Antimicrobial Resistance of <i>Streptococcus pneumoniae</i> Recovered from Outpatients in the United States during the Winter Months of 1994 to 1995: Results of a 30-Center National Surveillance Study," <i>Antimicrobial Agents and Chemotherapy</i> , 40(5): 1208-1213 (1996).
AE	Block, <i>et al.</i> , "Penicillin-resistant <i>Streptococcus pneumoniae</i> in acute otitis media: risk factors, susceptibility patterns and antimicrobial management," <i>The Pediatric Infectious Disease Journal</i> , 14(9): 751-759 (1995).
AF	Friedland, <i>et al.</i> , "Management of Infections Caused By Antibiotic-Resistant <i>Streptococcus pneumoniae</i> ," <i>New England Journal of Medicine</i> , 331(6): 377-382 (1994).
AG	Jacobs, "Treatment and Diagnosis of Infections Caused by Drug-Resistant <i>Streptococcus pneumoniae</i> ," <i>Clinical Infectious Diseases</i> , 15: 119-127 (1992).
AH	Pankuch, <i>et al.</i> , "Activity of CP 99.219 compared with DU-6859a, ciprofloxacin, ofloxacin, levofloxacin, lomefloxacin, tosufloxacin, sparfloxacin and grepafloxacin against penicillin-susceptible and -resistant pneumococci," <i>Journal of Antimicrobial Chemotherapy</i> , 35: 230-232 (1995).
AI	Jorgensen, <i>et al.</i> , "Methods for Dilution Antimicrobial Susceptibility Tests for Bacteria That Grow Aerobically," <i>NCCLS</i> , 17(2)M7-A4: 1-27 (1997).
AJ	Oh, <i>et al.</i> , "In Vitro and In Vivo Evaluations of LB20304, a New Fluoronaphthyridone," <i>Antimicrobial Agents and Chemotherapy</i> , 40(6): 1564-1568 (1996).
AK	Cormican, <i>et al.</i> , "Antimicrobial Activity and Spectrum of LB20304, a Novel Fluoronaphthyridone," <i>Antimicrobial Agents and Chemotherapy</i> , 41(1): 204-211 (1997).
AL	Hohl, <i>et al.</i> , "International multicenter investigation of LB20304, a new fluoronaphthyridone," <i>Clinical Microbiology and Infection</i> , 4(5): 280-284 (1998).
AM	Clark, <i>et al.</i> , "Antipneumococcal Activities of Levofloxacin and Clarithromycin as Determined by Agar Dilution, Microdilution, E-Test, and Disk Diffusion Methodologies," <i>Journal of Clinical Microbiology</i> , 36(12): 3579-3584 (1998).

Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office	ATTY. DOCKET NO. P50959RC2	PREDECESSOR SERIAL NO. 0/208,082
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i>		APPLICANT Appelbaum, <i>et al.</i>	
		FILING DATE Herewith	GROUP Unknown

AN	Kelly, <i>et al.</i> , "Antipneumococcal Activity of SB 265805 (a New Broad-Spectrum Quinolone)" Compared with Nine Compounds by MIC," 38th Annual Interscience Conference on Antimicrobial Agents and Chemotherapy, Abstract F-87: 254 (1998).	
	AO	Jorgensen, <i>et al.</i> , "Performance Standards for Antimicrobial Disk Susceptibility Tests," NCCLS, 17(1)M2-A6: 1-86 (1997).
	EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Notice of References Cited

Application/Control No.	09/611,998		Applicant(s)/Patent Under Reexamination
Examiner	D. Margaret Seaman		APPELBAUM ET AL.
	Art Unit 1625	Page 1 of 1	

U.S. PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification	
A	US-5776944	07-1998	Hong	--	--
B	US-5633262	05-1997	Hong	--	--
C	US-6262071	07-2001	Crabb	--	--
D	US-				
E	US-				
F	US-				
G	US-				
H	US-				
I	US-				
J	US-				
K	US-				
L	US-				
M	US-				

FOREIGN PATENT DOCUMENTS

	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
N					
O					
P					
Q					
R					
S					
T					

NON-PATENT DOCUMENTS

Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)

U	Hohl, Clin Micorbiol Infect, 1998, 4(5), 280-284.
V	Kim, Arch Pharmacal Res, 1996, 19(5), 400-405.
W	
X	

copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
 Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT		ATTY. DOCKET NO. P50959RC1	PREDECESSOR SERIAL NO. 09/611,998
		APPLICANT Appelbaum, et al.	
		PREDECESSOR FILING DATE 7/7/00	GROUP

CO-PENDING PATENT APPLICATIONS

Examiner Initial	Attorney Docket No.	US Serial No.	Filing Date	Title	Inventors
	P50954-1	09/569,648	5/12/00	Methods of Use of Quinolone Compounds Against Pneumococcal and Haemophilus Strains	Appelbaum, et al.
	P50955R	09/577,723	5/23/00	Methods of Use of Gemifloxacin Compounds Against Fluoroquinolone Resistant Streptococcus Pneumoniae Bacteria	Bast, et al.
	P50956R	09/577,731	5/23/00	Methods of Use of Gemifloxacin Compounds Against Fluoroquinolone Resistant Streptococcus Pneumoniae Bacteria	Bast, et al. <i>(ABANDONED)</i>
	P50928X1	09/395,492	3/23/01	Methods of Use of Fluoroquinolone Compounds Against Maxillary Sinus Pathogenic Bacteria	Dubois, et al. <i>(ABANDONED)</i>

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.